

By Senator Darwin:  
Amend line 5, page 2, by striking out "50" and insert "100."

Adopted.

Bill as amended ordered engrossed.

On motion of Senator Wayland, the regular order of business was suspended, to take up, on second reading,

Senate bill No. 287, a bill to be entitled "An act to amend article 5172 of the Revised Civil Statutes of the State of Texas, relating to the commissions of tax collectors."

Bill read second time.

By Senator Goss:

Amend by adding section 2, as follows:

"Sec.2. The crowded condition of the calendar rendering it improbable that this bill can be considered on three several days, and the importance of such a law creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

(Senator Neal in the chair.)

On motion of Senator Goss, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Linn of Victoria.
Bailey.	Morriss.
Beall.	Neal.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Terrell.
Goss.	Tillett.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Lewis.	

Nays—2.

Darwin. Gough.

Absent.

Boren.	Stone.
Dibrell.	Turney.
Presler.	Yett.

Excused.

Linn of Wharton. Stafford.

Bill read third time, and passed by the following vote:

Yeas—18.

Beall.	Colquitt.
Bowser.	Goss.
Burns.	Gough.

Greer.	Rogers.
Harrison.	Ross.
Kerr.	Tillett.
Linn of Victoria.	Wayland.
Morriss.	Woods.
Neal.	Yantis.

Nays—3.

Darwin.	Lewis.
Dibrell.	

Absent.

Atlee.	Stone.
Bailey.	Terrell.
Boren.	Turney.
Presler.	Yett.

Excused.

Linn of Wharton. Stafford.

Senator Goss moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Bailey, the Senate adjourned to 10 a. m. to-morrow.

#### FIFTY-FOURTH DAY.

Senate Chamber,

Austin, Tex., Tuesday, March 23.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Linn of Victoria.
Bailey.	Linn of Wharton.
Beall.	Morriss.
Bowser.	Neal.
Burns.	Presler.
Colquitt.	Rogers.
Darwin.	Ross.
Dibrell.	Stafford.
Goss.	Stone.
Gough.	Terrell.
Greer.	Tillett.
Harrison.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.

Absent.

Boren.	Yett.
Turney.	

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

On motion of Senator Woods,

Page Vaughan Bell was excused for

the whole of this week, on account of visiting his mother.

On motion of Senator Neal,

Senator Stone was excused for non-attendance on the Senate on last Friday, Saturday and yesterday, on account of important business.

On motion of Senator Burns,

Senator Terrell was excused for non-attendance on last Saturday, on account of important business.

On motion of Senator Morriss,

Senator Yett was excused for to-day, on account of important business.

On motion of Senator Dibrell,

Senator Turney was excused for Saturday and all of this week, on account of important business.

On motion of Senator Presler,

Senator Linn of Wharton was excused for non-attendance on yesterday, on account of important business.

#### PETITIONS AND MEMORIALS.

By Senator Linn of Wharton:

Petition from Chamber of Commerce of Galveston, Texas, relating to Cotton Growers' Convention and to the proposed bill laying a 2-cent tax on wharf companies.

Read and referred to Committee on Finance.

By Senator Rogers:

Memorial from 40 citizens of Corsicana, Texas, praying for the passage of Senate bill No. 195.

Read and referred to Judiciary Committee No. 1.

By Senator Harrison:

Petition of citizens of Lampasas county, praying for the passage of a bill restoring the jurisdiction of the county court of Lampasas county.

Read and referred to the Committee on Judicial Districts.

By Senator Woods:

Memorial from the citizens of Sherman, Texas, protesting against the passage of Senate bill No. 175, relative to the burden of proof on alleged forged deeds.

Referred to Judiciary Committee No. 1.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Mining and Irrigation, to whom was referred

House bill No. 351, a bill to be entitled "An act to amend an act to provide for the construction and mainten-

ance of drains, ditches and water-courses, and for the improvement and enlargement of natural drainage of the several counties within the State of Texas, and to repeal all laws in conflict with this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TILLETT, Acting Chairman.

Committee Room,

Austin, Texas, March 22, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 291, a bill to be entitled "An act to amend subdivision 15 of article 22, of the Revised Civil Statutes of the State of Texas, relating to the time of holding the terms of the district court in the Fifteenth judicial district of Texas, passed by the Twenty-fourth Legislature in the year 1895, and to repeal all laws in conflict with this act,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate joint resolution No. 8, being to amend section 3 or article 11 of the Constitution of Texas, so as to authorize certain counties to give aid in the construction of railways,

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 292, a bill to be entitled "An act making it unlawful for any fire, or fire and marine, or marine insurance company, which is legally licensed to transact the business of fire and marine insurance in this State, to place or cause to be placed, to write or cause to be written, any contract or policy of insurance against loss by fire or the perils of the sea, on any property in this State, except through le-

gally authorized and licensed agents, resident in the State, and prescribing penalties for violation of same, and to further prescribe conditions to be complied with by any fire, or fire and marine, or marine insurance company, before it shall be licensed or re-licensed by the Commissioner to do business in this State."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, March 22, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 287, a bill to be entitled "An act to amend article 5172 of the Revised Civil Statutes of the State of Texas, relating to commissions of tax collectors."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, March 22, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 233, a bill to be entitled "An act to amend article 2460, Revised Civil Statutes of Texas, by adding articles 2460a, 2460b, 2460c and 2460d, relating to mileage charged by sheriffs and constables in civil cases,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, March 22, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 279, a bill to be entitled "An act to amend that portion of chapter 1, title 9, of the Revised Civil Statutes of the State of Texas that relates to judicial proceedings in cases of lunacy,"

And find the same correctly engrossed.

GOUGH, Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Atlee:

Senate bill No. 313, a bill to be entitled "An act to repeal an act passed at the present session of the Legislature,

entitled an act to amend title XCVI, chapter 3, of the Revised Civil Statutes (1895) of the State of Texas, by adding thereto, after article 4640, an article to be known as 4640a, prohibiting the admission to record of instruments in any other than the English language, except instruments executed prior to the taking effect of this act, which may be recorded if accompanied by sworn translation thereof."

Read first time and referred to Judiciary Committee No. 1.

By Senator Kerr (by request):

Senate bill No. 314, a bill to be entitled "An act to amend title 30, chapter 4, of the Revised Civil Statutes of the State of Texas, by repealing subdivision 5 of article 1194, and adding thereto subdivision 18a."

Read first time and referred to Judiciary Committee No. 1.

By Senator Linn of Wharton:

Senate bill No. 315, a bill to be entitled "An act to relinquish the title and confirm the patents to certain lands therein named."

Read first time and referred to Committee on Claims and Accounts.

Call concluded.

#### HOUSE MESSAGE.

The following House message was received:

Hall House of Representatives,  
Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 606, a bill to be entitled "An act to authorize the Gulf, Colorado and Santa Fe Railroad Company to purchase the Texas, Louisiana and Eastern Railroad, and to operate the same under the charter of the Gulf, Colorado and Santa Fe Railroad Company as a part of its own line, with the right to extend the same and to construct branches therefrom by amendment of its charter under the general laws of the State of Texas."

House bill No. 346, a bill to be entitled "An act to transfer Red River and Fayette counties from the district school system to the community school system, and to authorize and empower the said counties to organize and conduct all of their public free schools under the community system, as provided for by the laws now in force."

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

The above reported House bills were read first time, and referred as follows:

House bill No. 606, to Committee on Internal Improvements.

House bill No. 346, to Committee on Education.

#### SPECIAL ORDER NO. 1.

The Chair laid before the Senate, on second reading,

Senate joint resolution No. 6, to amend section 1, of article VI, of the Constitution of the State of Texas, so as to require the payment of all poll taxes, as a prerequisite to voting, and to provide for submitting the same to a vote of the qualified voters of the State,

Action being on the following amendment by Senator Presler:

Amend section 2, in line 32, by adding after the word "Constitution" the words "requiring the payment of poll tax as a prerequisite to voting," making the clause read: "Those favoring its adoption shall have written or printed upon their ballots the words 'For the amendment to section 1 of article 6, of the Constitution, requiring the payment of poll tax as a prerequisite to voting.'"

Pending action,

Senator Linn of Wharton moved to postpone further consideration until Friday next after call.

Lost.

The amendment was then adopted.

By Senator Presler:

Amend section 1, page 1, in lines 25 and 26, by striking out the words "such other evidence as the Legislature may prescribe," and substituting therefor the following: "A receipt issued by the proper officer, showing," making the paragraph amended read: "A receipt issued by the proper officer showing that such poll taxes as have been assessed against the voter during the two years next preceding the election at which he proposes to vote, and then due and payable, have been paid."

Adopted.

By Senator Presler:

Amend section 2, page 2, in line 3, by adding after the word "Constitution" the words "requiring the payment of poll tax as a prerequisite to voting," making the clause read: "and those opposed to its adoption shall have written or printed upon their ballots the words, 'against the amendment to section 1, article 6, of the Constitution,

requiring the payment of poll tax as a prerequisite to voting.'"

Adopted.

By Senator Presler:

Amend section 2, in line 30, by striking out the words "at the next general election," and substituting therefor "the first Tuesday in August, 1897."

Adopted.

The resolution as amended was ordered engrossed by the following vote:

Yeas—17.

Boren.	Rogers.
Bowser.	Ross.
Colquitt.	Stafford.
Greer.	Stone.
Kerr.	Terrell.
Linn of Victoria.	Tillett.
Morriss.	Wayland.
Neal.	Woods.
Presler.	

Nays—9.

Atlee.	Goss.
Beall.	Harrison.
Burns.	Lewis.
Darwin.	Linn of Wharton.
Dibrell.	

Absent.

Bailey.	Yantis.
Gough.	Yett.

Excused.

Turney.

Senator Presler moved to reconsider the vote by which the resolution was ordered engrossed, and to lay that motion on the table.

Tabled by the following vote:

Yeas—18.

Boren.	Presler.
Bowser.	Ross.
Colquitt.	Stafford.
Goss.	Stone.
Greer.	Terrell.
Kerr.	Tillett.
Linn of Victoria.	Wayland.
Morriss.	Woods.
Neal.	Yantis.

Nays—8.

Atlee.	Dibrell.
Beall.	Harrison.
Burns.	Lewis.
Darwin.	Linn of Wharton.

Absent.

Bailey.	Rogers.
Gough.	Yett.

Excused.

Turney.

The Chair gave notice of signing, and did sign after their captions had been read,

Senate bill No. 251, a bill to be entitled "An act to prohibit in certain cases the gathering of pecan nuts, and the cutting, injuring or destroying of pecan trees, and prescribing a penalty therefor."

Senate bill No. 246, a bill to be entitled "An act to validate the incorporation of cities or towns of 1000 inhabitants or over, incorporated since March 30, 1895, which have heretofore attempted to be made under certain conditions."

Senate bill No. 236, a bill to be entitled "An act to amend article 22, title 4, of the Revised Civil Statutes of the State of Texas (1895), so as to extend the terms of the district court in Orange and Jefferson counties."

Senate bill No. 15, "An act to amend article 2601, chapter 6, title 51, Revised Civil Statutes of the State of Texas, relating to bonds of guardians and sureties thereon."

Senate bill No. 16, a bill to be entitled "An act to amend article 1942 of chapter 8, title 39, of the Revised Statutes of the State of Texas of 1895."

Senate bill No. 74, a bill to be entitled "An act to authorize the Commissioner of the General Land Office to forfeit all lands heretofore sold by the State, under any of the various acts of the Legislature, for failure to pay any portion of the purchase price therefor, or interest thereon, or for failure to reside on said land."

Senate bill No. 75, a bill to be entitled "An act to validate all office forfeitures of land heretofore made by the Commissioner of the General Land Office for the non-payment of any part of the purchase price thereof or interest due thereon, which land has been heretofore sold by the State through any of its authorized agencies, and without reference to the date when or the acts of the Legislature under which said sales were made."

And

House bill No. 548, a bill to be entitled "An act to create a more efficient road system for Wise county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such and providing for their compensation as road commissioners, and defining the duties and powers of such county commissioners and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing officers' fees; and to provide for

the payment for teams to work on roads and allowance for time of service for same on public roads in Wise county, and fixing a penalty for violation of this act, and repeal all laws in conflict with this act as to Wise county."

Senator Bowser called up, on third reading,

Senate joint resolution No. 3, to amend article 8 of the Constitution of the State of Texas, by adding to said article an additional section, to be numbered section 20.

Resolution read third time.

By Senator Bowser:

Strike out "first Thursday in August," and insert "first Tuesday" in lieu thereof.

Adopted.

The resolution was then passed by the following vote:

Yeas—22.

Atlee.	Kerr.
Bailey.	Lewis.
Beall.	Linn of Wharton.
Boren.	Morriss.
Bowser.	Presler.
Burns.	Stone.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Wayland.
Greer.	Woods.
Harrison.	Yantis.

Nays—3.

Colquitt.	Ross.
Linn of Victoria.	

Absent.

Gough.	Stafford.
Neal.	Yett.
Rogers.	

Excused.

Turney.

On motion of Senator Atlee, the regular order of business was suspended to take up, upon its third reading,

Senate joint resolution No. 8, a resolution to amend section 3, article XI, of the Constitution of the State of Texas, relating to subsidizing of railroads by counties now without railroads."

Resolution read third time.

By Senator Atlee:

Amend section 2 of the engrossed resolution, on last page, as follows: In lines 14 and 15, strike out the words "and which have no standard gauge railroads," and insert in lieu thereof the following: "and any other county in this State which the Legislature may designate." Also strike out, in

lines 28 and 29, the words "and which have no standard gauge railroads," and in sert in lieu thereof the following: "and any other county in this State which the Legislature may hereafter designate."

Adopted.

Resolution, as amended, passed by the following vote:

Yeas—25.

Atlee.	Lewis.
Bailey.	Linn of Victoria.
Beall.	Linn of Wharton.
Boren.	Morriss.
Bowser.	Neal.
Burns.	Presler.
Colquitt.	Ross.
Dibrell.	Stone.
Goss.	Terrell.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	

Nays—2.

Darwin. Tillett.

Absent.

Rogers. Yett.

Stafford.

Excused.

Turney.

(Senator Bailey in the chair.)

#### SPECIAL ORDER NO. 2.

The Chair laid before the Senate, on second reading,

Senate bill No. 299, a bill to be entitled "An act to amend article 3051, chapter 2, title LVIII, of the Revised Statutes of the State of Texas, giving the Commissioner of Insurance power to examine into the condition of any insurance company of this State, or any other State, and to revoke the license of such company or companies upon refusal to submit to such examination."

Action being on the following amendment by Senator Darwin:

Strike out subdivision 3, lines 24 to 27 inclusive, page 1, and insert in lieu thereof the following:

"3. Any insurance company which fails, neglects or refuses to furnish to the commissioner any books or papers necessary to a thorough investigation of the affairs of such company, shall not be permitted to do business in this State, after such failure, neglect or refusal."

Lost.

By Senator Gough:

Amend by adding at the end of subdivision 3 the following: "Provided,

the State shall not in any way be liable for the traveling or other expenses of the commissioner or any of his examiners while making such visits."

Lost by the following vote:

Yeas—12.

Bailey.	Lewis.
Bowser.	Linn of Wharton.
Darwin.	Stone.
Gough.	Terrell.
Harrison.	Tillett.
Kerr.	Yantis.

Nays—16.

Atlee.	Morriss.
Beall.	Neal.
Boren.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Dibrell.	Stafford.
Goss.	Wayland.
Linn of Victoria.	Woods.

Absent.

Greer. Yett.

Excused.

Turney.

By Senator Linn of Wharton:

Amend by adding, in line 25, page 1, after the word "State," the following: "or to compel a showing of the financial condition of the company."

Adopted.

By Senator Linn of Wharton:

Amend by adding after the word "examination," in line 27, page 1, the following: "or refusing to furnish a complete showing of its financial condition, on demand."

Adopted.

By Senator Terrell:

Amend by striking out the following words in lines 31 and 32, page one: "either by the," and "or such other attorney as he may designate."

Lost.

Bill, as amended, ordered engrossed by the following vote:

Yeas—19.

Atlee.	Linn of Victoria.
Bailey.	Morriss.
Beall.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Dibrell.	Stone.
Goss.	Wayland.
Greer.	Woods.
Kerr.	Yantis.
Lewis.	

Nays—5.

Gough.	Terrell.
Harrison.	Tillett.
Linn of Wharton.	

**Absent.**

Boren. Neal.  
Bowser. Stafford.  
Darwin. Yett.

**Excused.**

Turney.

On motion of Senator Colquitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

**Yeas—21.**

Atlee. Linn of Wharton.  
Bailey. Morriss.  
Beall. Neal.  
Burns. Presler.  
Colquitt. Rogers.  
Dibrell. Ross.  
Goss. Stone.  
Greer. Wayland.  
Kerr. Woods.  
Lewis. Yantis.  
Linn of Victoria.

**Nays—5.**

Darwin. Terrell.  
Gough. Tillett.  
Harrison.

**Absent.**

Boren. Stafford.  
Bowser. Yett.

**Excused.**

Turney.

Bill read third time, and passed by the following vote:

**Yeas—21.**

Atlee. Linn of Wharton.  
Bailey. Morriss.  
Beall. Neal.  
Burns. Presler.  
Colquitt. Rogers.  
Dibrell. Ross.  
Goss. Stone.  
Greer. Wayland.  
Kerr. Woods.  
Lewis. Yantis.  
Linn of Victoria.

**Nays—5.**

Darwin. Terrell.  
Gough. Tillett.  
Harrison.

**Absent.**

Boren. Stafford.  
Bowser. Yett.

**Excused.**

Turney.

On motion of Senator Burns, the regular order of business was sus-

pending to take up, on its second reading,

Senate bill No. 285, a bill to be entitled "An act making an appropriation for the establishment of a public park on the site of the battlefield of San Jacinto, and the erection of the necessary buildings and improvements thereon, and providing for the purchase and condemnation of a sufficient amount of land upon which to establish said park."

Bill read second time.

By Senator Burns:

Amend by inserting in section 4, page 2, line 4, after the word "exceed," the words "twenty-five."

Adopted.

By Senator Darwin:

Amend by striking out in line 14, section 1, "twenty-five thousand" and insert in lieu thereof "\$6500."

By Senator Ross:

Substitute the amendment as follows: Amend by adding after the word "dollars," in line 15, page 1, the following: "or so much thereof as may be necessary."

Adopted by the following vote:

**Yeas—17.**

Atlee. Linn of Wharton.  
Beall. Morriss.  
Burns. Neal.  
Dibrell. Presler.  
Goss. Ross.  
Gough. Wayland.  
Kerr. Woods.  
Lewis. Yantis.  
Linn of Victoria.

**Nays—8.**

Colquitt. Rogers.  
Darwin. Stone.  
Greer. Terrell.  
Harrison. Tillett.

**Absent.**

Bailey. Stafford.  
Boren. Yett.  
Bowser.

**Excused.**

Turney.

Pending further action,

On motion of Senator Beall,

Senate bill No. 149, a bill to be entitled "An act to amend article 3893, of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund,"

Was made special order for to-morrow, after the disposition of House bills for that day.

On motion of Senator Presler,

Senate bill No. 258, a bill to be entitled "An act to empower the State

Board of Education to procure for use in the public free schools of this State a series of uniform text-books, defining the duties of certain officers therein named with reference thereto, making appropriation therefor, defining certain misdemeanors, providing penalties for the violation of the provisions of this act, and declaring an emergency."

Was made special order for Thursday, after disposition of House bills for that day.

**PRIVILEGED REPORTS.**

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 236, a bill to be entitled "An act to amend article 22, title 4, of the Revised Civil Statutes of the State of Texas (1895), so as to extend the terms of the district court in Orange and Jefferson counties."

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 75, a bill to be entitled "An act to validate all office forfeitures of lands heretofore made by the Commissioner of the General Land Office for the non-payment of any part of the purchase money or interest due thereon, which land has hitherto been sold by the State through any one of its authorized agencies, and without reference to the date when, or the acts of the Legislature under which said sales were made,"

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 251, a bill to be entitled "An act to prohibit in certain cases the gathering of pecan nuts, and the cutting, injuring or destroying of pecan trees, and prescribing penalties therefor."

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 246, a bill to be entitled "An act to validate the incorporations of cities or towns of 1000 inhabitants or over, incorporated since March 30, 1895, which have heretofore attempted to be made under certain conditions,"

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 74, a bill to be entitled "An act to authorize the Commissioner of the General Land Office to forfeit all lands heretofore sold by the State, under any of the various acts of the Legislature, for failure to pay any portion of the interest thereon."

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 16, a bill to be entitled "An act to amend article 1942, chapter 8, title 39, of the Revised Statutes of the State of Texas of 1895, relating to bonds of administrators and executors and sureties thereon."

And find the same correctly enrolled, and have this day, at 11:45 a. m., pre-



sented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,  
Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 15, a bill to be entitled "An act to amend article 2601, chapter 6, title 51, of the Revised Civil Statutes of the State of Texas."

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

On motion of Senator Harrison, the Senate adjourned to 3 p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Morriss.
Bailey.	Neal.
Beall.	Presler.
Burns.	Rogers.
Darwin.	Stafford.
Goss.	Stone.
Greer.	Terrell.
Harrison.	Tillett.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yantis.
Linn of Wharton.	

Absent.

Boren.	Gough.
Bowser.	Ross.
Colquitt.	Yett.
Dibrell.	

Excused.

Turney.

#### PENDING BUSINESS.

The Chair laid before the Senate Senate bill No. 285, a bill to be entitled "An act making an appropriation for the establishment of a public park on the site of the battlefield of San Jacinto, and the erection of the necessary buildings and improvements thereon, and providing for the purchase and condemnation of a suffi-

cient amount of land upon which to establish said park."

Action being on the adoption of Senator Darwin's amendment as substituted. (See morning session.)

The amendment as substituted was adopted by the following vote:

Yeas—19.

Atlee.	Neal.
Bailey.	Presler.
Beall.	Rogers.
Burns.	Stafford.
Goss.	Terrell.
Greer.	Tillett.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yantis.
Morriss.	

Nays—2.

Darwin.	Harrison.
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Absent.

Boren.	Linn of Wharton.
Bowser.	Ross.
Colquitt.	Stone.
Dibrell.	Yett.
Gough.	

Excused.

Turney.

By Senator Goss:

Amend by adding section 6, as follows:

"Sec. 6. The crowded condition of the calendar rendering it improbable that this bill can be considered on three several days, and the importance of the proposed legislation, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

By Senator Terrell:

Amend by striking out "25,000," line 14, page 1, and insert "10,000."

Lost by the following vote:

Yeas—8.

Colquitt.	Stafford.
Darwin.	Stone.
Harrison.	Terrell.
Rogers.	Woods.

Nays—18.

Atlee.	Linn of Victoria.
Bailey.	Linn of Wharton.
Beall.	Morriss.
Burns.	Neal.
Dibrell.	Presler.
Goss.	Ross.
Greer.	Tillett.
Kerr.	Wayland.
Lewis.	Yantis.

**Absent.**

Boren. Gough.  
Bowser. Yett.

**Excused.**

Turney.

Bill ordered engrossed.

Senator Atlee moved to reconsider the vote by which the bill was engrossed, and to lay that motion on the table.

Tabled.

Senator Burns moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its third reading and final passage.

Lost by the following vote (requiring four-fifths vote):

**Yeas—19.**

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Beall.	Neal.
Burns.	Presler.
Dibrell.	Rogers.
Goss.	Ross.
Greer.	Stone.
Kerr.	Wayland.
Lewis.	Yantis.
Linn of Victoria.	

**Nays—7.**

Colquitt.	Terrell.
Darwin.	Tillett.
Harrison.	Woods.
Stafford.	

**Absent.**

Boren. Gough.  
Bowser. Yett.

**Excused.**

Turney.

I am heartily in favor of the purchase of this land by the State of Texas, and would gladly support a bill carrying an appropriation sufficient to purchase and enclose this land. But with the \$25,000 appropriation to improve and adorn it, I am forced to vote "no," believing that this appropriation would better be made to the Insane Asylums to enable them to take care of more of the unfortunates who, bereft of reason, now languish in the jails of Texas.

HARRISON.

On motion of Senator Greer, the regular order of business was suspended, to take up, on second reading,

Substitute Senate bill No. 195, a bill to be entitled "An act making the fathers of illegitimate children liable for their support and maintenance, and providing for means to recover of such fathers money for that purpose, and

regulating the application and expenditure of the same."

Bill read second time, with committee substitute therefor.

Pending action on adoption of committee substitute,

Senator Ross moved to lay the bill on the table subject to call.

Lost by the following vote:

**Yeas—11.**

Atlee.	Lewis.
Bailey.	Linn of Wharton.
Burns.	Morriss.
Colquitt.	Neal.
Darwin.	Ross.
Dibrell.	

**Nays—14.**

Beall.	Stafford.
Bowser.	Stone.
Goss.	Terrell.
Greer.	Tillett.
Harrison.	Wayland.
Presler.	Woods.
Rogers.	Yantis.

**Absent.**

Boren. Linn of Victoria.  
Gough. Yett.  
Kerr.

**Excused.**

Turney.

Committee substitute adopted.

By Senator Greer:

Amend on line 16, page 1, by adding after "1895" the following: "or as otherwise provided by law."

Adopted.

By Senator Greer:

Amend line 11, page 2, by striking out the phrase "to bring suit," following the word "child," and insert in lieu thereof the words "who brings the suit."

Adopted.

By Senator Goss:

Amend by striking out lines 12 and 13, page 1 of printed bill, and insert in lieu thereof the following: "the age of 18 years."

Lost.

By Senator Linn of Wharton:

Amend by adding to the bill section 8, as follows:

"Sec. 8. Provided, that no judgment shall be recovered under the provisions of this act upon the uncorroborated evidence of the mother of such illegitimate child, but in every such case where such mother testifies no judgment shall be recovered unless the same is corroborated by other evidence tending to connect the defendant with the fatherhood of such illegitimate child."

Adopted by the following vote:

## Yeas—15.

Bailey.	Neal.
Burns.	Ross.
Colquitt.	Stafford.
Dibrell.	Stone.
Lewis.	Tillett.
Linn of Victoria.	Wayland.
Linn of Wharton.	Woods.
Morriss.	

## Nays—10

Atlee.	Greer.
Beall.	Harrison.
Bowser.	Presler.
Darwin.	Rogers.
Goss.	Terrell.

## Absent.

Boren.	Yantis.
Gough.	Yett.
Kerr.	

## Excused.

Turney.

By Senator Dibrell:

Amend by adding to section 7 the following:

"Provided, the provisions of this act shall not be construed so as to entitle any illegitimate child to ever inherit any estate, real, personal or mixed, from its reputed father."

Adopted.

By Senator Beall:

Amend by adding to section 1 the following: "or until she marries."

Adopted.

(Senator Beall in the chair.)

By Senator Colquitt:

Amend by striking out the enacting clause.

Lost by the following vote:

## Yeas—8.

Burns.	Morriss.
Colquitt.	Neal.
Dibrell.	Ross.
Lewis.	Stafford.

## Nays—16.

Atlee.	Linn of Wharton.
Bailey.	Presler.
Beall.	Rogers.
Bowser.	Stone.
Darwin.	Terrell.
Goss.	Tillett.
Greer.	Wayland.
Harrison.	Woods.

## Absent.

Boren.	Linn of Victoria.
Gough.	Yantis.
Kerr.	Yett.

## Excused.

Turney.

The bill was ordered engrossed.

By consent, Senator Atlee introduced the following bill:

Senate bill No. 316, a bill to be entitled "An act to amend article 4640a of the Revised Civil Statutes of Texas (added thereto by an act amending title XCVI, chapter 3, passed at the present session of the Legislature, approved March 3, 1897), so as to permit the record of instruments in any other than the English language, when accompanied by a correct translation thereof into the English language."

Read first time and referred to Judiciary Committee No. 1.

On motion of Senator Wayland, the regular order of business was suspended to take up, on its third reading,

Senate bill No. 279, a bill to be entitled "An act to amend that portion of chapter 1, title 9, of the Revised Civil Statutes of the State of Texas, that relates to the judicial proceedings in cases of lunacy."

Bill read third time.

By Senator Wayland:

Amend by adding section 2, as follows: "The fact that there is no law now exempting juries in lunacy cases creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the same is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted."

Adopted by the following vote:

## Yeas—24.

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Beall.	Neal.
Bowser.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Greer.	Tillett.
Harrison.	Wayland.
Lewis.	Woods.

## Nays—none.

## Absent.

Boren.	Linn of Victoria.
Gough.	Yantis.
Kerr.	Yett.

## Excused.

Turney.

Bill passed by the following vote:

## Yeas—23.

Atlee.	Bowser.
Bailey.	Burns.
Beall.	Colquitt.

Darwin.	Rogers.
Dibrell.	Ross.
Goss.	Stafford.
Greer.	Stone.
Harrison.	Terrell.
Lewis.	Tillett.
Linn of Wharton.	Wayland.
Morriss.	Woods.
Neal.	

Nays—none.

Absent.

Boren.	Presler.
Gough.	Yantis.
Kerr.	Yett.
Linn of Victoria.	

Excused.

Turney.

On motion of Senator Lewis, the regular order of business was suspended to take up on its third reading,

Senate bill No. 216, a bill to be entitled "An act to amend article 745, of the Revised Civil Statutes of the State of Texas, requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon said corporations transacting business in this State, and authorizing the Secretary of State to issue permits to such corporations."

Bill read third time and passed.

On motion of Senator Tillett, the regular order of business was suspended, to take up on its third reading,

Senate bill No. 182, a bill to be entitled "An act to provide an additional method of preparing transcripts of the record in civil cases, on appeal or writ of error, and to have the same printed, and prescribing the method of preparing and printing the same, and prescribing the costs and fees to be charged and collected therefor."

Bill read third time.

By Senator Tillett:

Amend line 16, page 1, by striking out the word "such," and insert in lieu thereof the word "all;" and in line 17, page 1, strike out the words "as he desires copied in the transcript;" and in line 18, after the word "with," insert the word "all," so as to make the first sentence of section 2 read as follows: "The attorney for appellant or plaintiff in error may present to the clerk of the district or county court a list of all papers, judgments, orders and bills of cost, together with all the original papers in the case, and true copies of all such judgments, orders and bills of cost."

Adopted.

By Senator Tillett:

Amend section 2 by adding thereto the following: "The transcript to be printed may contain less than the entire proceedings at length, and may omit any designated judgments, papers and orders upon the agreement in writing of the parties, as provided in article 1413 and article 1414, Revised Civil Statutes of Texas."

Adopted.

Bill as amended passed.

Senator Tillett moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Bowser, the regular order of business was suspended to take up, on second reading,

Senate bill No. 210, a bill to be entitled "An act to amend article 2472 of chapter 3, of title XLV of the Revised Civil Statutes of Texas adopted in 1895, relating to the fees to be charged by notaries public for their official acts."

Bill read second time.

By Senator Bowser:

Amend by adding: "The fact that the session is far advanced, and the calendar now crowded, and the fact that the notary fees for protesting commercial paper are exorbitant, creates a necessity for the suspension of the constitutional rule requiring bills to be read on three several days, and the same is suspended, and it is so enacted."

Adopted.

The bill was ordered engrossed.

On motion of Senator Bowser, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Morriss.
Bailey.	Presler.
Beall.	Rogers.
Bowser.	Ross.
Burns.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Gough.	Tillett.
Harrison.	Wayland.
Linn of Victoria.	Woods.
Linn of Wharton.	

Nays—none.

Absent.

Boren.	Lewis.
Colquitt.	Neal.
Goss.	Yantis.
Greer.	Yett.
Kerr.	

**Excused.**

Turney.

Bill read third time, and passed.

Senator Linn of Wharton called up

Senate bill No. 105, a bill to be entitled "An act to secure a system of drainage along the public roads of the State by excavating ditches and drains on either side thereof leading into the natural waterways crossed by or adjacent to such roads, and to provide for the making of lateral drainage ditches to empty into the same by the owners of lands adjacent to such roads, and to provide for the payment of expense incurred therefor, and for the collection of assessments from adjoining land owners benefited by such drainage system,"

Which had passed the House with amendments, and moved that the Senate concur in said amendments.

Concurred.

The following committee reports were made:

**COMMITTEE REPORTS.**

The following committee reports were made:

Committee Room,

Austin, Texas, March 23, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 80, a bill to be entitled "An act defining citations in district, county and justice courts, providing for what they shall contain, how issued and how and by whom served and returned, and providing the manner of issuance of certain notices, and providing for the manner of their service and return, and repealing all laws and parts of laws in conflict therewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the following amendments:

First. Strike out section 7. and in lieu thereof insert the following: "Section 7. That this act is cumulative merely and provides a method additional to the method now provided by law for the purposes named in this act, to be used at the option of the party litigant."

Second. Further amend by adding "Section 8. The costs of litigation being excessive, and the crowded condition of the calendar and the near approach of the close of the session creates an emergency and an imperative public necessity exists that the consti-

tutional rule requiring bills to be read on three several days be suspended and that this act take effect from and after its passage, and it is so enacted."

Third. By amending the caption so as to read as follows: "A bill to be entitled an act defining an additional method of issuing and serving citations in district, county and justice courts, and defining their contents, and providing an additional method of making and serving certified copies and notices in legal proceedings."

And thus amended recommend that it do pass.

GOSS, Acting Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 300, a bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county court of King county, to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GOSS, Acting Chairman.

Committee Room,

Austin, Texas, March 23, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 293, a bill to be entitled "An act to authorize corporations to engage in the business of becoming surety on bonds, undertakings, recognizances and other obligations, required or permitted by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization, court, judge or other public officer, to be made, given, tendered or filed, with surety or sureties, and guaranteeing the refraining from or performance by another of any act, duty or obligation, and to regulate such business, and to repeal chapter XVI, title 21, of the Revised Statutes of the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the following amendments:

First. By amending section 2, page 2, by striking out "\$250,000" and inserting in lieu thereof "\$100,000."

Second. Amend section 2 by adding

at the end the following: "Provided, domestic corporations chartered for the purpose of doing business under this act, within this State alone, shall be required to deposit securities as hereinbefore provided for to the amount of \$25,000."

And thus amended recommend that it do pass.

GOSS, Acting Chairman.

Committee Room,  
Austin, Texas, March 24, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate joint resolution No. 6, "A resolution to amend section 1, of article VI, of the Constitution of the State of Texas, so as to require the payment of all poll taxes as a prerequisite to voting; and to provide for submitting the same to a vote of the qualified voters of the State."

And find the same correctly engrossed.

DIBRELL, Acting Chairman.

#### HOUSE MESSAGE.

The following House message was received:

Hall House of Representatives,  
Austin, Texas, March 23, 1897.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate of the passage of the following bill:

House bill No. 457, a bill to be entitled "An act to amend section 21 of an act entitled an act to incorporate the city of Waco."

Also, that the following conference committee has been appointed on the part of the House on Senate bill No. 248: Messrs. Turner, chairman; Bell, Harris, Blair, McFarland.

Also, that the House has passed

House concurrent resolution No. 18, providing a room in the Department of Insurance, Statistics and History for relics of the Republic of Texas, and designating the society of the Daughters of the Republic as custodians.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

#### IN SENATE.

The above reported House bill No. 457 was read first time and referred to the Committee on Towns and City Corporations.

On motion of Senator Bailey, the Senate adjourned until 10 a. m. tomorrow.

#### FIFTY-FIFTH DAY.

Senate Chamber,

Austin, Tex., Wednesday, Mar. 24.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Beall.	Neal.
Boren.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Gough.	Tillett.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Lewis.	Yett.
Linn of Victoria.	

Absent.

Bowser.

Excused.

Turney.

Prayer by the Chaplain, Rev. F. S. Jackson.

Almighty God: Again we seek Thy presence that for this day, according to the need of each, some sweet benediction may be received from Thee. Make each member of this Senate a son of divine radiance, a real loving worshiper of Thee, a true sympathetic brother of his race, a patriotic citizen and a wise, considerate leader of the people. Regard tenderly the officers and employes of this body. Reward richly the newspaper men, who attend here from day to day. May they render faithfully all needed assistance to make the press of this State strong, intelligent and incorruptible, and that shall be a voice calling to duty and demanding purity and integrity of character. Bless the little child in the nursery, the youth in our schools, the aged in the old armchairs in our homes, and the men and women who bear the burden and heat of the day, and we will gratefully praise "Father, Son and Holy Spirit." Amen.

Pending the reading of the Journal of yesterday,